

REMARKS

The present communication responds to the Office Communication of April 17, 2009, in which the Examiner subjected claims 1-72 to a restriction requirement. In the Office Communication, the Examiner grouped the claims as follows:

- Group 1. Claims 31-46 and 48, drawn to a first product; a modified bone matrix, comprising a bone matrix that has been exposed to a treatment or condition that increases at least one biological activity of the bone matrix relative to an untreated bone matrix.
- Group 2. Claims 1-27 and 29, drawn to a method of making the first product.
- Group 3. Claims 28, 30, and 47, drawn to a method of using the first product.
- Group 4. Claims 52 and 53, drawn to a second product: a cell composition comprising cells and a modified bone matrix.
- Group 5. Claim 49, drawn to a method of making the second product.
- Group 6. Claim 50, drawn to a method of using the second product.
- Group 7. Claims 54-58 and 60, drawn to a third product: a modified bone matrix, comprising a collagen-containing bone matrix wherein at least a portion of the collagen is cleaved or degraded.
- Group 8. Claim 59, drawn to a method of using the third product.
- Group 9. Claims 61-63 and 65, drawn to a fourth product: a modified bone matrix, comprising a collagen-containing bone matrix wherein at least a portion of an inhibitor of osteoinductive, osteogenic or chondrogenic activity is cleaved or degraded.
- Group 10. Claim 64, drawn to a method of using the fourth product.
- Group 11. Claims 66-71, drawn to a fifth product: a human demineralized bone matrix (DBM) having increased solubility.
- Group 12. Claim 72, drawn to a method of making the fifth product.

Election of Claims

In the outstanding Office Action, twelve inventions were identified in the grouping noted immediately above. Applicants hereby elect the invention of Group 1 (claims 31-46 and 48), without traverse. Claims 1-30, 47 and 49-72 are withdrawn.

Conclusion

The application is in allowable form, and early consideration and allowance are respectfully requested.

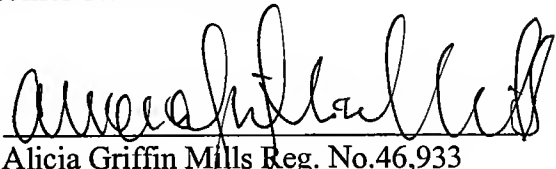
This response is being submitted on July 17, 2009, with the required fee of \$245.00 for a two-month extension of time. It is believed that no additional fees are due in connection with this filing. However, the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment and notify us of same, to Deposit Account No. 04-1420.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at (612) 340-2755.

Respectfully submitted,

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